

### Remarks/Arguments

Claims 1-10 are pending in this application.

Claims 1, 7 and 8 are under a rejection based on 35 U.S.C. 102(b) as being anticipated by Scarnato et al. It is respectfully submitted that, as now presented, claim 1 defines subject matter which renders claim 1 patentable over Scarnato et al.

Specifically, among other structure, claim 1 requires a rotary disc cutter bar having a gear housing extending transversely relative to a forward direction of travel and including a plurality of transversely spaced, knife-carrying discs mounted for rotation **above** an **upper surface** of the gear housing, and a crop lifting arrangement including a lip **projecting substantially upright from** at least a rear region of said cutter bar **just forward** of the crop processing device. Further, claim 1 requires the lip to extend **closely adjacent to**, and to a height above, a path traced by knives of said knife-carrying rotary cutter discs.

Scarnato et al. disclose, in the embodiment of FIG. 4, a transversely extending cutter bar 160 including a gear housing defined by top and bottom walls 161, 162, respectively, which are joined to front and rear walls 163 and 164, respectively. A plurality of knife-carrying cutting disks 154, 155, 156 and 157 are spaced transversely across the cutter bar 160. **The bottom wall 162** of the cutter bar 160 extends rearwardly beyond the cutter bar and forms a guide wall 170 that forms a ramp that is inclined upwardly from the cutter bar 160 to a location adjacent a nip 125 defined between lower and upper, counter-rotating crop conditioner rolls 8 and 11, respectively.

Thus, it is clear that the guide wall 170 **is not a substantially upright**, as claimed, nor does it extend **from** a rear region of the cutter bar that is **just forward** of the crop processing device 8, 11. Nor does the guide wall extend **closely adjacent to** the path traced by the knives 174. For these reasons, claim 1 is thought to define patentably over Scarnato et al.

Claims 2-10 depend either directly or indirectly from claim 1 and are likewise thought allowable, with it being noted that the Examiner has indicated the presence of allowable subject matter in claims 2-6, 9 and 10.

Claim 7 is thought allowable for the additional reason that it requires the lip to be inclined **upwardly and forwardly**, with it being noted that the guide 170 of Scarnato et al. is inclined upwardly and **rearwardly**, which is opposite to the

inclination claimed.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.


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Respectfully,

  
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